

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

GARY PADGETT, #235251,)
)
Plaintiff,)
v.) CASE NO. 2:05-cv-0608-MEF
)
GWENDOLYN MOSLEY, *et al.*,)
)
Defendants.)

O R D E R

On August 3, 2007, the Magistrate Judge filed a Recommendation (Doc. #20) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Defendant's motion for summary judgment (Doc. #10) is GRANTED as to all federal claims, and those claims are DISMISSED with prejudice.
3. Plaintiff's challenge to the validity and/or legality of Easterling Correctional Facility's standard operating procedures are DISMISSED under 28 U.S.C. § 1915(e)(2)(B)(i).
4. The court declines to exercise supplemental jurisdiction of the plaintiff's state law claims and those claims are DISMISSED without prejudice.
5. Costs are taxed against the plaintiff for which execution may issue.

DONE this the 20th day of August, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE